

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIANE LATRAY,

Defendant.

CR-16-21-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on July 19, 2021. (Doc. 85.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on July 15, 2021. (Doc. 80.) The United States accused Latray of violating her conditions of supervised release

1) by using methamphetamine on three separate occasions; and 2) by consuming alcohol. (Doc. 77.)

At the revocation hearing, Latray admitted to violating the conditions of her supervised 1) by using methamphetamine on three separate occasions; and 2) by consuming alcohol. (Doc. 80.) Judge Johnston found that the violations Latray admitted proved to be serious and warranted revocation, and recommended that Latray receive a custodial sentence of 3 months with 21 months of supervised release to follow with the first 60 days of supervised release in a secure inpatient drug treatment facility, and the next 180 days of supervised release in a residential re-entry center as directed by her probation officer. (Doc. 85.) Latray was advised of her right to appeal and her right to allocute before the undersigned. (Doc.80.) Latray filed a Notice of Waiver on July 21, 2021. (Doc. 86.) The violations prove serious and warrant revocation of Latray's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 85) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Ariane Latray be sentenced to the custody of the United States Bureau of Prisons for 3 months, with 21 months of supervised release to follow, with the first 60 days of supervised release in a secure inpatient

drug treatment facility, and the next 180 days of supervised release in a residential re-entry center as directed by her probation officer.

DATED this 12th day of July, 2021.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court

